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DEPT FOR L/HRR-EVELYN ASWAD AND DRL/MLA-LYNN SICADE

E.O. 12958: DECL: 5/17/2016

TAGS: PREL PHUM AORC UN FR

SUBJECT: GoF INCLINED TO SUPPORT UN DECLARATION ON THE  
RIGHTS OF INDIGENOUS PEOPLES (DRIP), DESPITE RESERVATIONS

REF: STATE 78740

Classified By: Acting Political Counselor Bruce Turner, reasons 1.4 (b)  
and (d).

¶1. (C) Responding to a May 13 demarche by Australian, U.S., and New Zealand emboffs on the draft UN Declaration on the Rights of Indigenous Peoples (DRIP), MFA PDAS-equivalent for IO/UN Affairs Jean-Pierre La Croix described the GoF as inclined towards supporting the draft text, despite reservations on provisions concerning self-determination and collective versus individual rights. While noting that the GoF had not yet finalized a position, La Croix emphasized that there was a political impulsion from the French Presidency, which took a particular interest in the indigenous persons issue and wanted to see the eleven-year negotiating process come to fruition. Conceding that the current text was not "100 percent" to GoF satisfaction, La Croix speculated that France was likely to "go along" with the text in the end, a viewpoint which he said was also shared by Canada and Nordic countries.

¶2. (C) In the event that France supported the draft declaration, La Croix said the GoF would likely make a national statement to clarify its interpretation on issues like self-determination and collective rights. For instance, the GoF viewed DRIP provisions on self-determination as limited by the bounds of national constitutions, and restricted to autonomy and self-government. In the case of collective rights, the GoF shared U.S. concerns that these should not prevail over the rights of individuals; at the same time, the GoF viewed DRIP Article 45 as offering sufficient safeguards on this point and was willing to offer some degree of "particular treatment" to indigenous persons.

¶3. (C) La Croix expressed appreciation for the detailed, French-language translations of U.S/Australian/New Zealand position papers on the DRIP (emailed by DRL/MLA to post), which he promised to give further consideration. He noted that during the negotiating process, the GoF had expressed similar concerns on self-determination and collective rights.

That said, the GoF was leaning towards supporting the draft declaration "as is," given the Presidency's interest and the fact that the declaration itself is non-binding. Prior to the close of the meeting, the Australian Embassy DCM gave La Croix a GOA non-paper elaborating possible negative implications of the current DRIP text on GoF sovereignty in French Polynesia and French museum holdings. Both sides closed discussion by agreeing to meet again the week of June 1, after the MFA had sufficient time to review the U.S./Australian/New Zealand position papers.

¶4. (C) Comment: The French inclination to support the current DRIP text comes as little surprise, given President Chirac's

efforts to appeal to anti-globalization and NAM audiences and recast himself as a champion of indigenous persons and cultural diversity (outside France, of course). For instance, the June 2006 opening of a national museum of indigenous art of the Americas, Asia, Africa and Oceania is expected to be one of the few "great works" of Chirac's ten-year presidency, amid a final year in office increasingly clouded by political scandal. Despite clear negative implications with respect to self-determination in French overseas territories, the GoF appears likely to go along with the seriously flawed, current DRIP text largely to burnish Chirac's overseas image as a champion of the oppressed. End comment.

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